

425 - SOCIAL NETWORKING

EFFECTIVE DATE: 02/01/10, 10/01/13, 03/01/15

REVISION DATE: 02/25/10, 01/01/11, 08/13/13, 02/19/15

STAFF RESPONSIBLE FOR POLICY: DHCM OPERATIONS

I. PURPOSE

This Policy applies to Acute Care, ALTCS/EPD, CRS, DCS/CMDP (CMDP), and DES/DDD (DDD) Contractors. This Policy establishes the requirements for AHCCCS Contractors regarding Social Networking Activities.

II. DEFINITIONS

BROADCAST	Video, Audio, or text transmitted through Social Networking Applications, via internet, cellular or wireless network for display on any device (e.g. comments, blogs).
FRIENDS/FOLLOWERS	Persons who choose to interact through online social networks by creating accounts or pages and proactively connecting with others.
MARKETING	Any communication from a Contractor to an AHCCCS member not enrolled with that Contractor that can reasonably be interpreted as intended to influence enrollment in that particular Contractor, or to not enroll in, or to disenroll from, another Contractor.
SOCIAL NETWORKING ACTIVITIES	The use of Social Networking Applications, the development of Contractor-specific Social Networking Application sites/pages, and Broadcast activities.
SOCIAL NETWORKING APPLICATIONS	Web based services/platforms (excluding the Contractor's State mandated website content, member portal, and provider portal) for online collaboration that provide a variety of ways for users to interact, such as e-mail, comment posting, image sharing, invitation and instant messaging services – collectively also referred to as social media (e.g. Facebook).

TAGS/TAGGING

Placing personal identification information within a picture or video. Tags generally are presented as hovering links to additional information about the individual identified.

USERNAME

An identifying pseudonym associating the author to messages or content generated.

III. POLICY

A. SOCIAL NETWORKING ACTIVITIES

The Contractor must comply with the requirements and restrictions outlined in this Policy for all Social Networking Activities.

The Contractor is responsible for ensuring that all materials used in Social Networking conform to the requirements for member information as outlined in ACOM Policy 404.

Social Networking for purposes of Marketing is prohibited.

The Contractor is responsible for continuous monitoring of its Social Networking Activities to ensure adherence to AHCCCS Policy including, but not limited to, marketing restrictions, member information guidelines, and adherence to HIPAA Privacy Rules and provisions regarding safeguarding of Protected Health Information (PHI). [42 CFR 438.104, 42 CFR 438.101, 438.10, 45 CFR Parts 160, 162, and 164]

Contractor Social Networking Activities and materials do not require prior review or approval by AHCCCS. However, AHCCCS shall perform monitoring activities of the Contractor, including but not limited to, Contractor's oversight of its Social Networking Activities, to ensure ongoing compliance with this Policy. AHCCCS may perform audits as determined necessary.

The Contractor is not required to use Social Networking Applications or to partake in Social Networking Activities.

B. SOCIAL NETWORKING REQUIREMENTS

The Contractor shall adhere to the following requirements for Social Networking Activities when the Contractor participates in Social Networking activities:

1. All Social Networking Activities shall address programs and services of the AHCCCS program in support of the mission and delivery of services.

2. Member privacy measures taken regarding Social Networking shall ensure the security of Protected Health Information (PHI) and must adhere to all HIPAA Privacy Rules, AHCCCS policies and contractual requirements.
3. The Contractor shall designate a Social Networking Administrator who is responsible for policy development, implementation and oversight of all social networking activities. The Social Networking Administrator may have other responsibilities and may hold another position.
4. The Contractor must use all available security features to prevent fraud and unauthorized access.
5. All Social Networking connections must be initiated by the external user and not the Contractor.
6. All Social Networking Application sites and Broadcasts shall be clear, direct, professional, accurate, and presented in a well-organized manner. The Contractor should make every effort to maintain the information at a 6th grade reading level as measured on the Flesch-Kincaid scale.
7. The Contractor shall comply with copyright and intellectual property law and shall reference or cite sources appropriately.
8. The Contractor's presence on Social Networking Application sites must include an Avatar and/or a Username that clearly indicates what company is being represented. Use of the AHCCCS logo or State of Arizona seal is prohibited.
9. The Contractor shall develop an internal company policy, based on the requirements of this Policy, for the use of Social Networking and Broadcasts with regard to the AHCCCS lines of business. The Policy must include a statement of purpose/general information explaining how the Contractor uses Social Networking and Broadcasting and how the Contractor continuously monitors Social Networking Activities. The Contractor shall ensure employees receive instruction and/or training on the AHCCCS and Contractor's Social Networking policies before using Social Networking Applications and Broadcasts on behalf of the Contractor.

C. SOCIAL NETWORKING RESTRICTIONS

The Contractor shall adhere to the following restrictions regarding Social Networking Activities:

1. Social Networking Applications and Broadcasts for the purposes of marketing are prohibited.

2. The Contractor shall not solicit feedback from members via Social Networking Applications or Broadcasts.
3. External user-generated content (comments/posts) is not permitted unless the Contractor has an intermediary review process in place in which the Contractor ensures all postings are appropriate and are in compliance with this Policy.
4. The Contractor shall not post information, photos, videos, links/URLs or other items online that reflect negatively on any individual(s), its members, AHCCCS or the State.
5. The Contractor is prohibited from tagging photographic or video content and must promptly remove all tags placed by others upon discovery.
6. The Contractor shall not identify members by name, or post, share, or publish information, including a member photo, that may lead to the identification of a member.
7. The Contractor is prohibited from posting ads, whether targeted or general, on Social Networking Application sites.
8. No affiliate/referral links or banners are permitted. This includes links to other non-Medicaid lines of business that the Contractor or a parent company is engaged in. When using any Social Networking Application which may automatically generate such linkage, recommendation, or endorsement on side bars or pop-ups (e.g. Facebook), the Contractor's Social Networking Application page must contain a disclaimer message prominently displayed in the area under the Contractor's control stating that such **items, resources, and companies are NOT endorsed by the Contractor or AHCCCS.**
9. Use of materials that are inaccurate, misleading or that otherwise make misrepresentations is prohibited.

D. CONTRACTOR SUBMISSION REQUIREMENTS

The Contractor shall submit the following to the Designated Operations and Compliance Officer, as specified in Contract, Attachment F3, Contractor Chart of Deliverables.

1. Attachment A, Social Networking Attestation (within 90 days after the start of the Contract year)
2. A listing of all Social Networking Applications used in the contract year with associated URLs (within 90 days after the start of the Contract year and within 30 days of any changes)

3. The name and contact information of the Contractor's Social Networking Administrator (within 90 days after the start of the Contract year and within 30 days of any changes).

IV. REFERENCES

- Acute Care Contract, Section D
- ALTCS/EPD Contract, Section D
- CRS Contract, Section D
- DCS/CMDP Contract, Section D
- DES/DDD Contract, Section D
- ACOM Policy 404
- 42 CFR 438.10
- 42 CFR 438. 101
- 42 CFR 438. 104
- 45 CFR Parts 160, 162, and 164
- Attachment A, Social Networking Attestation



ATTACHMENT A, SOCIAL NETWORKING ATTESTATION

SEE THE ACOM WEBPAGE FOR ATTACHMENT A OF THIS POLICY